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Approved for use through 10/31/2002. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

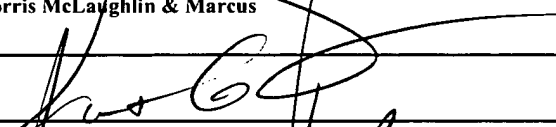
Application	09/980,388
Filing Date	November 29, 2001
First Named	INGE KRUSE et al
Group Art Unit	To Be Assigned
Examiner Name	To Be Assigned
Attorney Docket Number	100718-354 / Beiersdorf 750-KGB

Total Number of Pages in This Submission

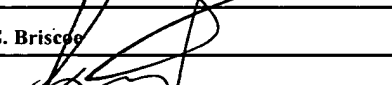
**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Combination Declaration & Power of Attorney - Copy on Notice of Missing Requirements
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	KURT G. BRISCOE Norris McLaughlin & Marcus
Signature	
Date	March 25 2002

**CERTIFICATE OF MAILING**I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: **March 25, 2002**

Typed or printed name	Kurt G. Briscoe
Signature	
Date	March 25, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT **\$130.00**

## Complete if Known

Application Number **09/980,388**  
Filing Date **November 29, 2001**  
First Named Inventor **INGE KRUSE**  
Examiner Name **To Be Assigned**  
Group Art Unit **To Be Assigned**  
Attorney Docket No. **100718-354 / Beiersdorf 750-KGB**

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number  
Deposit Account Name

**14-1263**

**Norris McLaughlin & Marcus**

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					<b>\$0.00</b>

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims		Fee from below		Fee Paid
Total Claims	<input type="text"/> -20** = <input type="text"/> 0	X	<input type="text"/>	= <input type="text"/> 0.00
Independent Claims	<input type="text"/> -3** = <input type="text"/> 0	X	<input type="text"/>	= <input type="text"/> 0.00
Multiple Dependent			<input type="text"/>	= <input type="text"/>

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					<b>\$0.00</b>

\*\*or number previously paid, if greater; For Reissues see above

## 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	<b>130.00</b>
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non - English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR § 1.17(q)	
126	180	126	180	Submission of Information Disclosure Statement	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					

Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **\$130.00**

## SUBMITTED BY

Name (Print/Type)	Kurt G. Broscoe	Registration No. (Attorney/Agent)	33,141	Telephone	(212) 808-0700
Signature	<i>[Signature]</i>	Date	March 25, 2002		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on



Beiersdorf 750-KGB  
6713-Wihd-99-61

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT : INGE KRUSE ET AL  
SERIAL NO. : 09/980,388  
FILED : November 29, 2001  
FOR : USE OF ASCORBIC ACID AND ONE MORE  
FLAVONE DERIVATIVES AND/OR FLAVANONE  
DERIVATIVES, IN PARTICULAR FLAVONOIDS FOR  
THE PREPARATION OF COSMETIC OR  
DERMATOLOGICAL PREPARATIONS FOR THE  
PROPHYLAXIS OR ALLEVIATION OF SUNBURN  
ART UNIT : To Be Assigned  
EXAMINER : To Be Assigned

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March 25, 2002

Hon. Commissioner for Patents  
Washington, D.C. 20231

**COMMUNICATION RE: FILING OF DECLARATION ON  
A DATE LATER THAN THE FILING DATE OF THE APPLICATION**

Sir:

This is in response to the Notice to File Missing Parts of Application under 37 CFR 1.53(b)  
**January 23, 2002**, in the above-identified application. A copy of said Notice is attached hereto.

It is requested that the papers submitted herewith be joined up with the papers previously  
filed in this Application.

Applicant is:

☐ a small entity

☐ verified statement attached

☒ other than a small entity

☐ verified statement filed

It is requested that the surcharge for the filing of the Declaration be charged to the undersigned's Deposit Account No. 14-1263.

Please charge:

- ☐ \$ 65.00 for small entity  
☒ \$130.00 for other than small entity.

An extra copy of this communication is appended hereto for accounting purposes.

**CONDITIONAL PETITION FOR EXTENSION OF TIME**

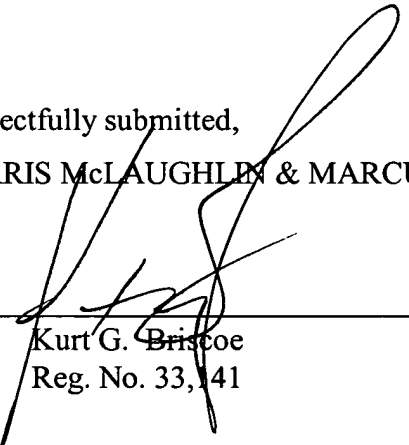
If any extension of time for this response is required, applicant requests that this be considered a petition therefor. Please charge the required Petition fee to Deposit Account No. 14-1263.

**ADDITIONAL FEE**

Please charge any insufficiency of fees, or credit any excess to our Deposit Account No. 14-1263.

04/08/2002 MNGUYEN 00000160 141263 09980388  
01 FC:154 130.00 CH

Respectfully submitted,  
NORRIS McLAUGHLIN & MARCUS, P.A.

By   
Kurt G. Briscoe  
Reg. No. 33,141

KGB/ja

Enc. - Combined Declaration and Power of Attorney  
- Copy of Notice of Missing Parts

220 East 42<sup>nd</sup> Street - 30<sup>th</sup> Floor  
New York, New York 10017  
(212) 808-0700

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Services as first class mail in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231 on March 25, 2002.

NORRIS McLAUGHLIN & MARCUS, P.A.

By  \_\_\_\_\_



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

*Beiersdorf 750-KKB*

U.S. APPLICATION NUMBER NO. 09/980,388	FIRST NAMED APPLICANT Inge Kruse	ATTY. DOCKET NO. 100718-354/Beiersdorf 750
INTERNATIONAL APPLICATION NO. PCT/EP00/04938		
LA. FILING DATE 05/30/2000	PRIORITY DATE 06/04/1999	

Norris McLaughlin & Marcus  
 220 East 42nd Street  
 30th Floor  
 New York, NY 10017

*Oath/Decl & Kruse  
 3-23-02*

CONFIRMATION NO. 9981

371 FORMALITIES LETTER



\*OC000000007329374\*

Date Mailed: 01/23/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 r 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 305-6421

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/980,388	PCT/EP00/04938	100718-354/Beiersdorf 750